

1 THE HONORABLE JOHN C. COUGHENOUR
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 UNITED STATES OF AMERICA,

11 Plaintiff,

v.

12 HICHAM DIAB and NAFEZ EL MIR,

13 Defendants.

14 CASE NO. CR18-0282-JCC

ORDER

15 This matter comes before the Court on the parties' joint motion to continue the trial date
16 (Dkt. No. 23). Defendants have each filed waivers of their speedy trial rights up to and including
17 June 28, 2019. (Dkt. Nos. 24, 25.) Having thoroughly considered the filings and based on the
18 facts set forth in the parties' joint motion, the Court FINDS as follows:

19 1. That a failure to grant a continuance would deny counsel the reasonable time necessary
20 for effective preparation, taking into account the exercise of due diligence, within the
21 meaning of 18 U.S.C. § 3161(h)(7)(B)(iv) and would result in a miscarriage of justice, 18
22 U.S.C. § 3161(h)(7)(B)(i).

23 2. That this case is sufficiently complex that it is unreasonable to expect adequate
24 preparation for pretrial proceedings or for the trial itself within the time limits established
25 by 18 U.S.C. § 3161(h)(7)(B)(ii).

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1 3. That the ends of justice will be served by ordering a continuance in this case, that a
2 continuance is necessary to ensure adequate time for effective case preparation, and that
3 these factors outweigh the best interests of the public and Defendants in a speedy trial,
4 within the meaning of 18 U.S.C. § 3161(h)(7)(A).

5 For these reasons, the parties' joint motion (Dkt. No. 23) is GRANTED. The Court
6 ORDERS that the trial in this matter be continued to June 3, 2019 at 9:30 a.m. The parties shall
7 file any pretrial motions no later than April 3, 2019. It is further ORDERED that the time
8 between the date of this order and the new trial date is excludable time under the Speedy Trial
9 Act, pursuant to 18 U.S.C. §§ 3161(h)(7)A, 3161(h)(7)B(ii), and 3161(h)(7)(B)(iv).

10 DATED this 4th day of January 2019.

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John C. Coughenour
UNITED STATES DISTRICT JUDGE